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With reference to the 2011 Revised Draft Supplemental Generic Environmental Impact Statement (SGEIS) by the New York State Department of Environmental Conservation.

The SGEIS shows a commendable awareness of potential aquatic impacts and a legal mechanism to enforce protection. On the other hand, the SGEIS misrepresents the relative amount of water used by hydraulic fracturing. On page 6-10, the SGEIS claims that "peak activity high-volume hydraulic fracturing would result in increased demand for fresh water in New York of 0.24%" and concludes that the use of water would be "modest relative to overall water withdrawals in New York". This calculated relative impact and the dependent conclusion are based on extraordinarily inappropriate calculations.

First, the SGEIS distinguishes between water that is withdrawn and consumed *versus* water withdrawn but returned. The SGEIS says on page 6-9 that "... withdrawals for hydraulic fracturing are considered as 100% percent consumptive losses ...". On page 6-13 the DEC provides figures that show 96.3% of the water withdrawn from the Delaware River Basin is returned to the hydrological cycle. The DEC computes a biased index by comparing water consumed by hydraulic fracturing to the water withdrawn for all other uses, while ignoring that 96% of the water withdrawn for all other uses is actually returned. As the first correction, comparing water consumed by hydraulic fracturing to water consumed by all other means provides an index of relative water use of 6.4%.

The SGEIS index of the relative ecological effect of the use of water for hydraulic fracturing is based on a second, major misrepresentation. The index compares water used in the portion of the state where hydraulic fracturing may occur to the total amount of water withdrawn for the entire state. Most of New York's population and its water use are outside of the area of potential fracking. Comparing water use by hydraulic fracturing to water withdrawn and used just within the area of potential fracking would greatly increase the relative impact of hydraulic fracturing. We have gone from the DEC's value for presented to the public of 0.24% to a more realistic value of 20 to 30 or even 40%.

It does no good for the SGEIS to include wonderful descriptions of the ecological factors related to aquatic impacts if the cutting of staff positions leaves no one in the DEC to monitor it. The conclusion that water use will be relatively "modest" may lead to or be part of a perception that monitoring of aquatic ecosystems is not of high importance. The authors of the SGEIS knowingly compare water consumed by hydraulic fracturing to water withdrawn and returned and they knowingly compare local water use to water withdrawn in the entire state. The resultant index of relative water use is consciously chosen and is misleading. This creates the impression of a pre-determined conclusion and an effort to deceive the public. Unless the DEC approaches their assessment of the aquatic impact due to hydraulic fracturing with a meaningful indicator of the ecological effect of water withdrawal for hydraulic fracturing, there is little hope that sufficient staff will be assigned to protect aquatic systems or other ecological processes.